

**State of California, State Water Resources Control Board**

Division of Water Rights

P.O. Box 2000, Sacramento, CA 95812-2000

Info: (916) 341-5300, FAX: (916) 341-5400 Web: <http://waterrights.ca.gov>

S009417  
2005, 2006, 2007

**SUPPLEMENTAL STATEMENT OF WATER DIVERSION AND USE FORM**

Owner(s) of Record:

CENTER FOR NATURAL LANDS MANAGEMENT

Notifying the Division of Water Rights of ownership or address changes is the responsibility of the claimant

Please Complete and Return This Form by JULY 1, 2008

Primary Contact:

CENTER FOR NATURAL LANDS MANAGEMENT

PO BOX 188

THOUSAND PALMS, CA 92276 *215 West Ash Street  
Fallbrook, CA 92028*

Agent:

Address:

Phone No.

Fax No.

E-mail Address:

Phone No. 760-549-1234

Fax No.

E-mail Address:

*cclifford@cnlm.org*

Source Name: BUTTE CREEK

Tributary To:

County: Butte

Diversion within: 1/4 of SE 1/4 Section 6, T 20 N, R 2 E, MDB&M

Year of First Use: 1973

Name of Diversion works:

Assessor Parcel Number  
of the Diversion site:

STATE WATER RESOURCES  
CONTROL BOARD  
DIVISION OF WATER RIGHTS  
SACRAMENTO  
2008 JUL -2 PM 1:55

A. **Water is Used Under:** Riparian claim ☒ Pre-1914 claim \_\_\_\_\_ Court Decree No.: \_\_\_\_\_ Other (explain): \_\_\_\_\_

B. **Year of First Use:** (Please provide if missing in the Division of Rights database (ewrims)) \_\_\_\_\_

C. **Rate of Diversion:** The rate of diversion of water for each month used and entered in the table below is shown in units of:  
Gallons per minute (gpm) \_\_\_\_\_ Gallons per day (gpd) \_\_\_\_\_ Cubic feet per second (cfs) \_\_\_\_\_

| Year | Jan | Feb | Mar | Apr | May | June | July | Aug | Sept | Oct | Nov | Dec | Average Rate |
|------|-----|-----|-----|-----|-----|------|------|-----|------|-----|-----|-----|--------------|
| 2005 |     |     |     |     |     |      |      |     |      |     |     |     |              |
| 2006 |     |     |     |     |     |      |      |     |      |     |     |     |              |
| 2007 |     |     |     |     |     |      |      |     |      |     |     |     |              |

D. **Quantity of Water Used:** The quantity of water used each month and entered in the table below is shown in units of:  
Gallons \_\_\_\_\_ Million Gallons (MG) \_\_\_\_\_ Acre-feet (AF) \_\_\_\_\_

*none used 2005-2007*

| Year | Jan | Feb | Mar | Apr | May | June | July | Aug | Sept | Oct | Nov | Dec | Total Annual |
|------|-----|-----|-----|-----|-----|------|------|-----|------|-----|-----|-----|--------------|
| 2005 |     |     |     |     |     |      |      |     |      |     |     |     |              |
| 2006 |     |     |     |     |     |      |      |     |      |     |     |     |              |
| 2007 |     |     |     |     |     |      |      |     |      |     |     |     |              |

E. **Purpose of Use** - Specify number of acres irrigated, stock watered, persons served, etc. \_\_\_\_\_

Irrigation \_\_\_\_\_ acres; Stockwatering \_\_\_\_\_; Domestic \_\_\_\_\_;  
Other (specify) \_\_\_\_\_

Parcel Number(s) of Place of Use: \_\_\_\_\_

F. **Changes in Method of Diversion** - Describe any changes in your project since your previous statement was filed.  
(New pump, enlarged diversion dam, location of diversion, etc.) \_\_\_\_\_

G. Please answer only those questions below which are applicable to your project.

1. Conservation of water

a. Are you now employing water conservation efforts? YES \_\_\_\_\_ NO \_\_\_\_\_  
Describe any water conservation efforts you have initiated: \_\_\_\_\_

b. If you are claiming credit for water conservation under section 1011 of the Water Code for your claimed pre-1914 appropriative right, please show the amount of water conserved:

Reduction in Diversions:  
Year \_\_\_\_\_ (AF/MG) Year \_\_\_\_\_ (AF/MG) Year \_\_\_\_\_ (AF/MG)

*EWIRMS/cn  
7/15/09*

S 009417

Reduction in consumptive use:

Year \_\_\_\_\_ (AF/MG) Year \_\_\_\_\_ (AF/MG) Year \_\_\_\_\_ (AF/MG)

I have data to support the above surface water use reductions due to conservation efforts. YES \_\_\_\_\_ NO \_\_\_\_\_

## 2. Water quality and wastewater reclamation

- a. Are you now or have you been using reclaimed water from a wastewater treatment facility, desalination facility or water polluted by waste to a degree which unreasonably affects such water for other beneficial uses? YES \_\_\_\_\_ NO \_\_\_\_\_
- b. If you are claiming credit due to the substitution of reclaimed water, desalinated water or polluted water in lieu of a claimed pre-1914 appropriative right under section 1010 of the Water Code, please show amounts of reduced diversions and amounts of substitute water supply used:

Amount of reduced diversion:

Year \_\_\_\_\_ (AF/MG) Year \_\_\_\_\_ (AF/MG) Year \_\_\_\_\_ (AF/MG)

State the type of substitute water supply: \_\_\_\_\_

Amount of substitute water supply used:

Year \_\_\_\_\_ (AF/MG) Year \_\_\_\_\_ (AF/MG) Year \_\_\_\_\_ (AF/MG)

I have data to support the above surface water use reductions due to the use of a substitute water supply. YES \_\_\_\_\_ NO \_\_\_\_\_

## 3. Conjunctive use of surface water and groundwater

- a. Are you now using groundwater in lieu of surface water? YES \_\_\_\_\_ NO X
- b. If you are claiming credit due to the substitution of groundwater for a claimed pre-1914 appropriative right under section 1011.5 of the Water Code, please show the amounts of groundwater used:  
Year \_\_\_\_\_ (AF/MG) Year \_\_\_\_\_ (AF/MG) Year \_\_\_\_\_ (AF/MG)  
I have data to support the above surface water use reductions due to the use of groundwater. YES \_\_\_\_\_ NO \_\_\_\_\_

I understand that it may be necessary to document the water savings claimed in "F" above if credit under Water Code sections 1010 and 1011 is sought in the future.

I declare that the information in this report is true to the best of my knowledge and belief.

DATE: June 30, 2008 at Davis, California

SIGNATURE: \_\_\_\_\_

PRINTED NAME: \_\_\_\_\_

(first name)

(middle initial)

(last name)

COMPANY NAME: Center for Natural Lands Management

ITEM \_\_\_\_\_

If there is insufficient space for your answers, please use the space provided below or add an attachment sheet.

CONTINUATION

## GENERAL INFORMATION PERTAINING TO WATER RIGHTS IN CALIFORNIA

There are two principal types of surface water rights in California. They are riparian and appropriative rights.

A riparian right enables an owner of land bordering a natural lake or stream to take and use water on his riparian land. Riparian land must be in the same watershed as the water source and must never have been severed from the sources of supply by an intervening parcel without reservation of the riparian right to the severed parcel. Generally, a riparian water user must share the water supply with other riparian users. Riparian rights may be used to divert the natural flow of a stream but may not be used to store water for later use or to divert water which originates in a different watershed, water previously stored by others, return flows from use of groundwater, or other "foreign" water to the natural stream system.

An appropriative right is required for use of water on non-riparian land and for storage of water. Generally, appropriative rights may be exercised only when there is a surplus not needed by riparian water users. After the formation of the California Water Commission back on December 19, 1914, new appropriators have been required to obtain a permit and license from the State. Appropriative rights can be granted to waters "foreign" to the natural stream system.

Statements of Water Diversion and Use must be filed by riparian and pre-1914 appropriative water users as set forth in Water Code section 5100 with specific exceptions. The filing of a statement (1) provides a record of water use, (2) enables the State to notify such users if someone proposes a new appropriation upstream from their diversions, and (3) assists the State to determine if additional water is available for future appropriators.

The above discussion is provided for general information. For more specific information concerning water rights, please contact an attorney or write to this office. We have several pamphlets available. They include: (1) Statements of Water Diversion and Use, (2) Information Pertaining to Water Rights in California, and (3) Appropriation of Water in California.

RECEIVED MAR 28 2000

**SUPPLEMENTAL STATEMENT OF WATER DIVERSION AND USE**

If the information below is inaccurate, please line it out in red and provide current information.  
Notify this office if ownership or address changes occur during the coming year.

**PLEASE COMPLETE AND RETURN THIS FORM BY JULY 1, 2000**

OWNER OF RECORD: MORRIS J KEENEY, M B KEENEY

MORRIS J KEENEY  
1634 DURHAM HWY  
DURHAM, CA 95938-9610

Change of Ownership  
Center for Natural Lands Management  
425 E. Alvarado St., Su H.  
Fallbrook, CA 92028

STATEMENT NO: S009417



SOURCE: BUTTE CREEK  
TRIBUTARY TO: SACRAMENTO RIVER  
COUNTY: BUTTE  
DIVERSION

WITHIN: ¼ OF SE¼ SECTION 6, T20N, R2E, MB&M.

TELEPHONE NUMBER:

760 731 7790 (916) 343-7281

YEAR OF FIRST USE: 1973

PARCEL NO:

A. Water is used under: Riparian claim ☒ Pre 1914 right \_\_\_\_\_ Other (explain): 56 Acres

B. Year of first use (Please provide if missing above) \_\_\_\_\_

C. Amount of Use - Enter the amount of water used each month. If monthly and annual use are not known, check the months in which water was used.

| Amounts below are: |     |     |     |      |        |        |        |      |      |     |     |     | Total Annual |
|--------------------|-----|-----|-----|------|--------|--------|--------|------|------|-----|-----|-----|--------------|
| Year               | Jan | Feb | Mar | Apr  | May    | June   | July   | Aug  | Sept | Oct | Nov | Dec |              |
| 1997               |     |     |     |      | 28 A/F | 28 A/F | 14 A/F |      |      |     |     |     |              |
| 1998               |     |     |     | 1000 | 2000   | 2000   | 3000   | 2000 |      |     |     |     |              |
| 1999               |     |     |     | 1000 | 2000   | 2000   | 3000   | 2000 | 1000 |     |     |     |              |

D. Purpose of Use - Specify number of acres irrigated, stock watered, persons served, etc.

Irrigation 40 acres; Stockwatering \_\_\_\_\_; Domestic \_\_\_\_\_

Other (specify) \_\_\_\_\_

E. Changes in Method of Diversion - Describe any changes in your project since your previous statement was filed. (New pump, enlarged diversion dam, location of diversion, etc.)

None

F. Please answer only those questions below which are applicable to your project.

1. Conservation of water

a. Are you now employing water conservation efforts? YES \_\_\_\_\_ NO ☒  
Describe any water conservation efforts you have initiated: \_\_\_\_\_

b. If credit toward beneficial use of water under claimed pre 1914 appropriative water right for water not used due to a conservation effort is claimed under section 1011 of the Water Code, please show the amounts of water conserved:

Reductions in Diversions:

19 \_\_\_\_\_ (af/mg) 19 \_\_\_\_\_ (af/mg) 19 \_\_\_\_\_ (af/mg)

Reductions in consumptive use:

19 \_\_\_\_\_ (af/mg) 19 \_\_\_\_\_ (af/mg) 19 \_\_\_\_\_ (af/mg)

I have data to support the above surface water use reductions due to conservation efforts. YES \_\_\_\_\_ NO \_\_\_\_\_

2. Water quality and wastewater reclamation

- a. Are you now or have you been using reclaimed water from a wastewater treatment facility, desalination facility or water polluted by waste to a degree which unreasonably affects such water for other beneficial uses? YES \_\_\_\_\_ NO X
- b. If credit toward use under a claimed pre 1914 appropriative water right through substitution of reclaimed water, desalinated water or polluted water in lieu of appropriated water is claimed under section 1010 of the Water Code, please show amounts of reduced diversions and amounts of reclaimed water used:

19 \_\_\_\_\_ (af/mg) 19 \_\_\_\_\_ (af/mg) 19 \_\_\_\_\_ (af/mg)  
I have data to support the above surface water use reductions due to wastewater reclamation. YES \_\_\_\_\_ NO \_\_\_\_\_

3. Conjunctive use of surface water and groundwater

- a. Are you now using groundwater in lieu of surface water? YES \_\_\_\_\_ NO X
- b. If credit toward use under a claimed pre 1914 appropriative right through substitution of groundwater in lieu of appropriated water is claimed under section 1011.5 of the Water Code, please show the amounts of groundwater used:

19 \_\_\_\_\_ (af/mg) 19 \_\_\_\_\_ (af/mg) 19 \_\_\_\_\_ (af/mg)  
I have data to support the above surface water use reductions due to conjunctive use efforts. YES \_\_\_\_\_ NO \_\_\_\_\_

I understand that it may be necessary to document the water savings claimed in "F." above if credit under Water Code sections 1010 and 1011 is sought in the future.

I declare that the information in this report is true to the best of my knowledge and belief.

DATE: 4/7/00, 2000 at Fallbrook, California

SIGNATURE: Brenda C. Pace, Admin Dir.

PRINTED NAME: Brenda C. Pace, Admin. Dir.  
(first name) (middle init.) (last name)

COMPANY NAME: Center for Natural Lands Management

If there is insufficient space for your answers, please use the space provided below.

ITEM CONTINUATION

|  |  |
|--|--|
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GENERAL INFORMATION PERTAINING TO WATER RIGHTS IN CALIFORNIA

There are two principal types of surface water rights in California. They are riparian and appropriative rights.

A riparian right enables an owner of land bordering a natural lake or stream to take and use water on his riparian land. Riparian land must be in the same watershed as the water source and must never have been severed from the sources of supply by an intervening parcel without reservation of the riparian right to the severed parcel. Generally, a riparian water user must share the water supply with other riparian users. Riparian rights may be used to divert the natural flow of a stream but may not be used to store water for later use or divert water which originates in a different watershed, water previously stored by others, return flows from use of groundwater, or other "foreign" water to the natural stream system.

An appropriative right is required for use of water on nonriparian land and for storage of water. Generally, appropriative rights may be exercised only when there is a surplus not needed by riparian water users. Since 1914, new appropriators have been required to obtain a permit and license from the State. Appropriative rights can be granted to waters "foreign" to the natural stream system.

Statements of Water Diversion and Use must be filed by riparian and pre 1914 appropriative water users as set forth in Water Code section 5100 with specific exceptions. The filing of a statement (1) provides a record of water use, (2) enables the State to notify such users if someone proposes a new appropriation upstream from their diversions, and (3) assists the State to determine if additional water is available for future appropriators.

The above discussion is provided for general information. For more specific information concerning water rights, please contact an attorney or write to this office. We have several pamphlets available. They include: (1) Statements of Water Diversion and Use, (2) Information Pertaining to Water Rights in California, and (3) Appropriation of Water in California.

## SUPPLEMENTAL STATEMENT OF WATER DIVERSION AND USE

If the information below is inaccurate, please line it out in red and provide current information.  
Notify this office if ownership or address changes occur during the coming year.

PLEASE COMPLETE AND RETURN THIS FORM BY JULY 1, 1997

OWNER OF RECORD: MORRIS J KEENEY, M B KEENEY

MORRIS J KEENEY  
1634 DURHAM HWY  
DURHAM, CA 95938-9610

STATEMENT NO: S009417



TELEPHONE NUMBER:  
(916) 343-7281

YEAR OF FIRST USE: 1973  
PARCEL NO:

SOURCE: BUTTE CREEK  
TRIBUTARY TO: SACRAMENTO RIVER  
COUNTY: BUTTE  
DIVERSION

WITHIN: ¼ OF SE¼ SECTION 6, T20N, R2E, MB&M.

- A. Water is used under: Riparian claim ☒; Pre 1914 right \_\_\_\_\_; Other (explain): 56/acre s
- B. Year of first use (Please provide if missing above) \_\_\_\_\_
- C. Amount of Use - Enter the amount of water used each month. If monthly and annual use are not known, check the months in which water was used.

Amounts below are: ☐ Gallons ☒ Acre-feet ☐ (other) \_\_\_\_\_

| Year | Jan. | Feb. | Mar. | Apr. | May              | June | July | Aug.             | Sept. | Oct. | Nov. | Dec. | Total Annual |
|------|------|------|------|------|------------------|------|------|------------------|-------|------|------|------|--------------|
| 1994 |      |      |      |      | <del>14</del> 28 | 28   |      | <del>14</del> 14 |       |      | *    |      |              |
| 1995 |      |      |      |      | <del>14</del> 28 | 28   |      | <del>14</del> 14 |       |      |      |      |              |
| 1996 |      |      |      |      | <del>14</del> 28 | 28   |      | <del>14</del> 14 |       |      |      |      |              |

- D. Purpose of Use - Specify number of acres irrigated, stock watered, persons served, etc. \* fill spray tank
- Irrigation 56 acres; Stockwatering \_\_\_\_\_; Domestic \_\_\_\_\_
- Other (specify) \* fill spray tank (500 gal) 11 times
- E. Changes in Method of Diversion - Describe any changes in your project since your previous statement was filed. (New pump, enlarged diversion dam, location of diversion, etc.)

None

- F. If part of the water listed in Part C consists of reclaimed or polluted water, please indicate the annual amounts of reclaimed or polluted water in the space below.

None

I declare under penalty of perjury that the information in this report is true to the best of my knowledge and belief:

DATED: 6/10, 1997 at Durham

SIGNATURE: Morris Keeney

PRINTED NAME: Morris J. Keeney

(FIRST NAME)

(MIDDLE INIT.)

(LAST NAME)

COMPANY NAME: Keeney & Son

See back of page for General Information. If there is insufficient space for your answers, please number them in the space provided on the back of this form.

S-9417  
n/2/95  
\*\* PLEASE COMPLETE, SUBMIT THE ORIGINAL AND MAKE A COPY FOR YOUR RECORDS \*\*

STATE WATER RESOURCES CONTROL BOARD  
DIVISION OF WATER RIGHTS

P.O. BOX 2000 SACRAMENTO, CA 95812-2000

SUPPLEMENTAL STATEMENT OF WATER DIVERSION AND USE

STATE WATER RESOURCES CONTROL BOARD  
MAR 31 PM 12:14  
DIV. OF WATER RIGHTS  
SACRAMENTO

STATEMENT NO: S009417  
OWNER OF RECORD: M J KEENEY

M J KEENEY  
1634 DURHAM HWY  
DURHAM, CA 95938

MORRIS J. KEENEY  
1634 DURHAM DAYTON HWY  
DURHAM, CA 95938-9610

SOURCE: BUTTE CREEK  
TRIBUTARY TO: SACRAMENTO RIVER  
COUNTY: BUTTE  
DIVERSION

WITHIN: ¼ OF SE¼ SECTION 6, T20N, R2E, MDB&M.

TELEPHONE NUMBER:

(916) 343-7281

YEAR OF FIRST USE: 1973

PARCEL NO: 62A & 62B

(If any of the above information is inaccurate or missing, please correct. Notify this office if ownership or address changes occur during the coming year.) See Note on back of Water diversion Statement

COMPLETE AND RETURN THIS FORM BY JULY 1, 1995

A. Water is used under: Riparian claim ☒; Pre 1914 right \_\_\_\_\_; Other (explain) \_\_\_\_\_

B. Year of first use (Please provide if missing above) by US is 1973

C. Amount of Use - Enter the amount of water used each month. If monthly and annual use are not known, check the months in which water was used.

Amounts below are: ☐ Gallons ☒ Acre-feet ☐ (other) \_\_\_\_\_

harvest time

|      | JAN. | FEB. | MAR. | APR. | MAY | JUNE | JULY | AUG. | SEPT. | OCT. | NOV. | DEC. | TOTAL ANNUAL |
|------|------|------|------|------|-----|------|------|------|-------|------|------|------|--------------|
| 1992 |      |      |      |      | 39  | 39   | 40   | 40   | 0     | 39   |      |      |              |
| 1993 |      |      |      |      | 39  | 39   | 40   | 40   | 0     | 39   |      |      |              |
| 1994 |      |      |      |      | 37  | 39   | 39   | 39   | 0     | 39   |      |      |              |

D. Purpose of Use - Specify number of acres irrigated, stock watered, persons served, etc.

Irrigation 56 ac acres; Stockwatering 0; Domestic 0

Other (specify) \_\_\_\_\_

\*\*\* CONTINUE ON BACK PAGE \*\*\*

\*\*\* PLEASE COMPLETE, SUBMIT THE ORIGINAL AND MAKE A COPY FOR YOUR RECORDS \*\*\*

E. Changes in Method of Diversion - Describe any changes in your project since your previous statement was filed (New pump, enlarged diversion dam, location of diversion, etc.)

Repaired pump in 1990

F. If part of the water listed in Part C consists of reclaimed or polluted water, please indicate the annual amounts of reclaimed or polluted water in the space below.

0

I declare under penalty of perjury that the information in this report is true to the best of my knowledge and belief.

DATED: Mar. 22, 1995, at Durham, Ca, California

SIGNATURE: Morris J. Keeney for Morris B. Keeney

PRINTED NAME: Morris J. Keeney (FIRST NAME) (M. NAME) (LAST NAME)

COMPANY NAME: MORRIS J. KEENEY KEENEY & SON

1634 DURHAM DAYTON HWY 2243 DURHAM DAYTON HWY  
DURHAM, CA 95938-9610 DURHAM, CA 95938-9651

#### GENERAL INFORMATION PERTAINING TO WATER RIGHTS IN CALIFORNIA

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An appropriative right is required for use of water on nonriparian land and for storage of water. Generally, appropriative rights may be exercised only when there is a surplus not needed by riparian water users. Since 1914 new appropriators have been required to obtain a permit and license from the State.

Statements of Water Diversion and Use must be filed by riparian and pre-1914 appropriative water users. The filing of a statement (1) provides a record of water use, (2) enables the State to notify such users if someone proposes a new appropriation upstream from their diversion, and (3) assists the State to determine if additional water is available for future appropriators.

The above discussion is provided for general information. For more specific information concerning water rights, please contact an attorney or write to this office. We have several pamphlets available. They include:

- "Statements of Water Diversion and Use"
- "Information Pertaining to Water Rights in California"
- "Water Rights for Stockponds Constructed Prior to 1969"
- "Appropriation of Water in California"

STATE WATER RESOURCES CONTROL BOARD  
DIVISION OF WATER RIGHTS  
P.O. Box 2000  
Sacramento, CA 95812-2000

STATEMENT OF WATER DIVERSION AND USE  
INFORMATION SHEET

STATEMENT NO. \_\_\_\_\_

DIVERSION SITE: \_\_\_\_\_

OWNER'S NAME \_\_\_\_\_  
(FIRST) (MIDDLE) (LAST)

PARCEL NO. 62A & 62B of Durham Land Settlement

PLACE OF USE: \_\_\_\_\_

OWNER'S NAME Keeney & Son (Morris B Keeney)  
(FIRST) (MIDDLE) (LAST)

1. PARCEL NO. 62A & 62B

2. PARCEL NO. \_\_\_\_\_

3. PARCEL NO. \_\_\_\_\_

PERSON OR FIRM TO RECEIVE ALL CORRESPONDENCE AND SUPPLEMENTAL  
STATEMENTS:

OWNER/LESSEE/AGENT/OTHER \_\_\_\_\_

NAME \_\_\_\_\_

(FIRST)

**KEENEY & SON**  
**2243 DURHAM DAYTON HWY**  
**DURHAM, CA 95938-9651**

(LAST)

MAILING ADDRESS \_\_\_\_\_

(CITY)

(STATE)

(ZIP)

TELEPHONE NO. (916) 343 - 7281

OTHERS USING ABOVE DIVERSION LOCATION:

1. NAME None  
(FIRST) (MIDDLE) (LAST)

MAILING ADDRESS \_\_\_\_\_

(CITY)

(STATE)

(ZIP)

TELEPHONE NO. (\_\_\_\_\_) \_\_\_\_\_ - \_\_\_\_\_

2. NAME \_\_\_\_\_  
(FIRST) (MIDDLE) (LAST)

MAILING ADDRESS \_\_\_\_\_

(CITY)

(STATE)

(ZIP)

TELEPHONE NO. (\_\_\_\_\_) \_\_\_\_\_ - \_\_\_\_\_

☒ ADDITIONAL INFORMATION CONTINUED ON BACK OF PAGE OR ATTACHED

PLEASE USE THE OTHER SIDE TO PROVIDE THE ABOVE INFORMATION FOR  
ADDITIONAL OWNERS OR PLACES OF USE AND CHECK THE ADDITIONAL  
INFORMATION BOX.



Note

3/23/95

I gifted my interest in this land to my son in 1990, however I am the administrator of my wife's trust (1/4 interest). Her interest will go to our son ~~or~~ upon my death.  
Thanks, Morris J. Keeney

We haven't filled out a water use form since 1979 when you quit sending them to us, however, we have continued to pump from Butte creek each year

STATE OF CALIFORNIA  
STATE WATER RESOURCES CONTROL BOARD  
Division of Water Rights

P.O. BOX 2000 SACRAMENTO, CA 95810  
901 P ST. SACRAMENTO, CA  
(916) 322-4503

(916) 324-5676  
SUPPLEMENTAL STATEMENT OF WATER DIVERSION AND USE

DIVERTER OF RECORD:

STATEMENT NO: 009417

M J & M B KEENEY

~~1634 DURHAM HWY~~  
DURHAM, CA 95938

KEENEY & SON  
2243 DURHAM DAYTON HWY  
DURHAM, CA 95938-9651

TELEPHONE NUMBER:  
(916) 343-7281

IF NAME/ADDRESS/PHONE NO. IS WRONG OR MISSING, PLEASE CORRECT.

SOURCE: BUTTE CREEK

TRIBUTARY TO: SACRAMENTO RIVER

COUNTY: BUTTE

DIVERSION

WITHIN: 1/4 OF SE1/4 SECTION 06, T20N, R02E, MDB&M.

INSTRUCTIONS: Please complete Items A, B and C. Item D should be completed if you replaced all or part of your regular water supply with reclaimed or polluted water. RETURN THIS FORM BY JULY 1, 1992. (Additional information on reverse side of this form.)

A. Amount of Use - Fill in the amount of water used each month. If monthly and annual use are not known, check the months in which water was used.

Amounts below are: ☐ Gallons  
☒ Acre-feet  
☐ \_\_\_\_\_ (other)

|      | Jan. | Feb. | Mar. | Apr. | May | June | July | Aug. | Sept. | Oct. | Nov. | Dec. | Total Annual |
|------|------|------|------|------|-----|------|------|------|-------|------|------|------|--------------|
| 1989 |      |      |      |      |     | 1/2  | 1    | 1    |       |      |      |      | 2 1/2 ac ft. |
| 1990 |      |      |      |      |     | 1    | 1    | 1    |       |      |      |      | 3            |
| 1991 |      |      |      |      |     | 1    | 1    | 1    |       |      |      |      | 3            |

B. Purpose of Use - Specify number of acres irrigated, stock watered, persons served, etc.

Irrigation 56 Ac Almond Orchard

Stockwatering none

Domestic

Other, (specify)

C. Changes in Method of Diversion - Describe any changes in your project since your previous statement was filed. (New pump, enlarged diversion dam, location of diversion, etc.)

STATE WATER RESOURCES  
CONTROL BOARD  
DIV. OF WATER RIGHTS  
SACRAMENTO  
1992 FEB 19 PM 4:08

D. If part of the water listed in Part A consists of reclaimed or polluted water, please indicate the annual amounts of reclaimed or polluted water in the space below.

I declare under penalty of perjury that the information in this report is true to the best of my knowledge and belief.

DATED: 1-30-92, 19 at Butte County (Durham), California

Signature: Manis J. Keeney

## GENERAL INFORMATION PERTAINING TO WATER RIGHTS IN CALIFORNIA

There are two principal types of surface water rights in California. They are riparian and appropriative rights.

A riparian right enables an owner of land bordering a natural lake or stream to take and use water on his riparian land. Riparian land must be in the same watershed as the water source and must never have been severed from the source of supply by an intervening parcel without reservation of the riparian right to the severed parcel. Generally, a riparian water user must share the water supply with other riparian users. Riparian rights may be used to divert the natural flow of a stream but may not be used to store water for later use or to divert water which originates in a different watershed, or return flows from use of groundwater.

An appropriative right is required for use of water on nonriparian land and for storage of water. Generally, appropriative rights may be exercised only when there is a surplus not needed by riparian water users. Since 1914 new appropriators have been required to obtain a permit and license from the State.

Statements of Water Diversion and Use must be filed by riparian and pre-1914 appropriative water users. The filing of a statement (1) provides a record of water use, (2) enables the State to notify such users if someone proposes a new appropriation upstream from their diversion, and (3) assists the State to determine if additional water is available for future appropriators.

The above discussion is provided for general information. For more specific information concerning water rights, please contact an attorney or write to this office. We have several pamphlets available. They include:

“Statements of Water Diversion and Use”

“Information Pertaining to Water Rights in California”

“Water Rights for Stockponds Constructed Prior to 1969”

“Appropriation of Water in California”

## STATEMENT OF WATER DIVERSION AND USE

(This is not a Water Right)

This statement should be typewritten or legibly written in ink.

A. Name of person diverting water M. J. Keeney  
 Address RT 1 Box 270 Durham, Ca Telephone: 343-7281

B. Name of body of water at point of diversion Butte Creek at Siphon  
 Tributary to Sacramento River

C. Place of diversion 1/4 SE 1/4 Section 6, Township 20N, Range 2E, Diablo B&M,  
Butte County, or locate it on sketch of section-grid on reverse side with regard to section  
 lines or prominent local landmarks.

D. Name of works - None. Pumped from Butte Creek Approx 1/2 Mi.  
Upstream from Midway

E. Capacity of diversion works \_\_\_\_\_  
 Capacity of storage reservoir \_\_\_\_\_  
 State quantity of water used each month in gallons or acre-feet

Year Jan. Feb. Mar. Apr. May June July Aug. Sept. Oct. Nov. Dec. Total Annual

1973 39 39 39 39 39 \_\_\_\_\_  
 1974 \_\_\_\_\_

If monthly and annual use are not known, check months in which water was used. State extent of use in units, such as acres of each crop irrigated, average number of persons served, number of stock watered, etc.

Maximum annual water use in recent years 400 gallons-  
 acre-foot

Minimum annual water use in recent years 0 gallons-  
 acre-foot

Type of diversion facility: gravity \_\_\_\_\_, pump ✓ Sprinklers

Method of measurement: weir \_\_\_\_\_, flume \_\_\_\_\_, electric power meter \_\_\_\_\_, water meter \_\_\_\_\_ estimate X

F. Purpose of use (what water is being used for) Almond Orchard Located  
Between levees of Butte Creek & Between S.P.R.R. & Sacto-Northern R.R.

G. General description or location of place of use (use sketch of section-grid on reverse side if you desire)  
See Note on reverse

H. Year of first use as nearly as known Purchased this land in 1973

I. Name of person filing statement M. J. Keeney

Position Partner Organization Keeney & Son

Address Rt 1 Box 270 Durham, Ca, 95938 Telephone: 343-7281

I declare under penalty of perjury that the above is true and correct to the best of my knowledge and belief.

DATED: 9/15/77, 19 77, at Durham, Ca, California.

See note attached

Signature: M. J. Keeney

See Instructions on Reverse Side